

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAMION NATHANIEL BROMFIELD,

Plaintiff,

v.

CHARLES MCBURNEY, *et al*,

Defendants.

Case No. C07-5226RBL-KLS

ORDER TO SHOW CAUSE
REGARDING THE FILING OF
DEFENDANTS' ANSWER

This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Rules MJR 3 and 4, and Federal Rule of Civil Procedure 72. The case is before the Court upon the Court's review of the complaint. After reviewing the complaint and the balance of the record, the Court finds and orders as follows:

On August 30, 2007, defendants Charles McBurney, A. Nelson, George Wigen, Doe McClusky, Carl Sadler, and Jose Moncevias (the "GEO defendants") filed a motion to dismiss the claims against them contained in plaintiff's complaint. (Dkt. #11). On January 14, 2008, the Court issued an order finding the GEO defendants' motion to have merit in that the claims in plaintiff's complaint contained a number of deficiencies, but gave plaintiff the opportunity to cure those deficiencies by filing an amended complaint. (Dkt. #13).

On February 21, 2008, plaintiff filed an amended complaint (Dkt. #17), which the Court found no

1 longer suffered from the deficiencies contained in his original complaint (Dkt. #18). On March 28, 2008,
2 the Court denied the GEO defendants' motion to dismiss on that basis. (Dkt. #19-#20). The amended
3 complaint thus now stands as plaintiff's complaint in this matter.

4 On May 15, 2008, the GEO defendants filed a second motion to dismiss plaintiff's amended
5 complaint, which is noted for consideration on June 6, 2008. (Dkt. #23). To date, however, defendants
6 Michael Melendez and Jack Bennett have filed no answer or responsive pleading thereto. Accordingly,
7 those two defendants through their counsel hereby are ordered to file an answer to plaintiff's amended
8 complaint by **no later than June 26, 2008**.

9 The Clerk is directed to send a copy of this Order to plaintiff and to counsel for defendants.

10 DATED this 27th day of May, 2008.

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14 Karen L. Strombom
15 United States Magistrate Judge
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